




CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

April 19, 2004
Date


Shelley P.M. Fussey

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Hills *et al.*

Serial No.: 09/856,400

Filed: May 22, 2001

For: Anti-Asthmatic Combinations Comprising
Surface Active Phospholipids

Group Art Unit: 1616

Examiner: M. Haghighatian

Atty. Dkt. No.: 4040.000300

**REQUEST FOR EXTENSION OF TIME TO TAKE ACTION
AFTER FILING NOTICE OF APPEAL SUBMITTED DECEMBER 16, 2003**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.136(a), Applicants petition for an extension of time of two-months to and including April 19, 2004 in which to take action after filing the Notice of Appeal submitted on December 16, 2003. The Notice of Appeal was received at the P.T.O. on December 19, 2003, which makes the two month date for response February 19, 2004.

Pursuant to 37 C.F.R. § 1.17, a check in the amount of \$1,190.00 is enclosed, which includes the RCE fee (\$770.00) and process fee for a two-month extension of time (\$420.00).

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4040.000300.

Respectfully submitted,

Williams, Morgan & Amerson, P.C.
Customer No. 23720



Shelley P.M. Fussey, Ph.D.
Reg. No. 39,458
Agent for Applicants

10333 Richmond, Suite 1100
Houston, Texas, 77042
(713) 934-4079

Date: April 19, 2004